

**Indian Child Welfare Act (ICWA) Workgroup
Meeting Minutes ~ March 28, 2008
Morongo Community Center, Banning, CA**

WELCOME, OPENING REMARKS AND INTRODUCTIONS

CDSS Deputy Director Kevin Gaines opened with thanking the Morongo Band of Mission Indians (need to always check to make sure we list the tribe's proper names – we use common/abbreviated versions but when writing about them use proper name) for hosting the meeting, and to the tribal staff who assisted with the preparation needed to make this meeting possible. He also thanked those attending the meeting. Kevin acknowledged the difficulty that some tribal and county people have in being able to participate in meetings when only held in Sacramento, and reiterated the interest of the group in making these meetings more accessible by meeting in places other than Sacramento. It is CDSS' goal to be able to continue this practice for future ICWA Workgroup meetings.

REPORT ON CALIFORNIA CHILD ABUSE PREVENTION SUMMIT

CDSS shared information regarding this event, which was held February 12, 2008 in Sacramento. Tribal panelists provided information at the summit about local issues for tribal workers. The people that attended the workshop were mostly tribal community workers. They would have liked to have more county people there to answer some questions that were raised. More training and collaboration is needed to bridge the gap between county agencies and tribal communities. The keynote speaker, Elaine Whitefeather, was excellent. She spoke of her experience regarding domestic violence and child abuse issues. Suggestion was made that next year the tribal panel presentation not be concurrent with another meeting. CDSS advised that they will present these issues for consideration by the planning committee for next year's summit in hopes of improving attendance.

There was a question raised about how can we get county workers and judges involved? Discussed county trainings for their social workers; counties could ask tribal ICWA workers to provide training on the cultural component. Discussed ICWA information that is being provided in the CORE training provided through the Regional Training Academies. Tribes can make contact with their local Child Abuse Prevention Councils (CAPCs) to be more involved locally. Loleta Garfield reported on how the Tule River Reservation sponsored an ICWA training to the Tulare County social workers. The ICWA Training sub-committee may need to start meeting again. San Diego County has an ICWA trained Emergency Response (ER) CPS social worker that works out of a tribal social services office one day a week. There has been a significant reduction in the number of detentions since beginning this collaboration. CDSS asked for more volunteers to participate on the ICWA 101/102 training curriculum sub-workgroup.

PERMANENCY FOR INDIAN CHILDREN/YOUTH, AB 2736 AND CUSTOMARY ADOPTION

CDSS has established a sub-committee to look at this issue. CDSS reported on the sub-committee meetings and the technical assistance provided by Kathy Deserly, consultant from the National Resource Center on Adoptions. Kathy's PowerPoint presentation on the issue of customary adoption can be obtained by contacting Ana Bolaños-Kellison, CDSS ICWA Specialist, at ana.bolanos-kellison@dss.ca.gov. Nancy Currie, of the Soboba Band of Luiseño Indians reported on the discussions occurring in the tribal community regarding this issue and the introduction of AB 2736 to seek clear statutory authority for these to be recognized in state courts. There was discussion about

customary adoption not being a new concept in the tribal community. Tribes have historically had traditions whereby children were taken in and raised by a blood relative or non-related tribal member. In fact, customary adoptions are already happening in some states. It is a very unique situation to be discussing customary adoptions in a state that has very few tribal courts, such as California, and yet has such a large Native American population. Essentially, tribes have to use California state courts as a surrogate to do customary adoptions within a state court context, and then it's brought back within the tribe. The language in the introduced version of AB 2736 is very brief at this time. The author is currently working on amended language. Some of the issues to be worked on include process, state court acceptance of tribal process, child support, inheritance, and government benefits. It is intended that the modified language be finished by April 11th. Next step would be getting feedback on that language from the community and workgroup.

There was some discussion regarding what tribes can do at this point to be supportive. Nancy asked them to review the amended language and give her their feedback. She indicated she was developing a template for letters of support that will be available soon. She asked people to send letters of support to Assembly Member Cook, the bill author, and keep apprised of the bill by subscribing to AB 2736 online at <http://www.leginfo.ca.gov/bilinfo.html>. Tribes willing to share stories or examples of what their process is and what happens could be helpful. A list of tribes that are in support would also be helpful. She asked tribal representatives to advise your tribal councils about this bill. The workgroup sub-committee will meet sometime after the bill has been heard in the Assembly Committee on Human Services (mid-April). Notice via email will be sent out regarding the next Permanency sub-committee meeting when scheduled.

STATUS OF CHILD AND FAMILY SERVICES REVIEW (CFSR)

On-site reviews were conducted during the week of February 4th. Case reviews and stakeholder interviews were conducted in Los Angeles, Fresno and Santa Clara counties. Preliminary results will be posted on the CDSS website (<http://www.childsworld.ca.gov/PG1520.htm>). A PowerPoint presentation on the exit conference is available on the same website. A draft report of the findings is in process. A flyer was distributed regarding the upcoming Program Improvement Plan (PIP) Kick-Off to be held April 15, 2008, 10:00am-12:00pm, at CDSS Headquarters' Auditorium.

INDEPENDENT LIVING PROGRAM (ILP) / CHAFEE GRANT PROGRAM

CDSS' ILP staff provided information regarding services available to ILP youth and who is eligible (any youth who is/was in foster care at any time from their 16th to their 19th birthday...even for one day; or is/was between the ages of 16 and 18 and participating in the Kin GAP program). CDSS contracts with the California Community College Foundation, and classes are provided through the local community colleges. Each county has an ILP coordinator who is responsible for ensuring that youth have access to the ILP services (eligible for ILP services up to the day before their 21st birthday). The idea of ILP coordinators going out to the tribes was discussed. Tribal STAR in San Diego county provides for ILP services to San Diego tribes. They are in their second year of a five-year federal grant. Information was also given regarding transitional housing for ILP youth. The Chafee Grant Program, which provides up to \$5,000.00 per year for education/vocational occupation costs, was discussed. Youth can utilize Chafee money up to age 24. More information on these programs can be obtained by visiting: <http://www.childsworld.ca.gov/PG1350.htm>. The Child Welfare Director's Association (CWDA) ILP sub-committee group meets monthly and would like a tribal representative. The ILP conference is April 21-23 in Ontario.

BIA UPDATE/NOTICES TO CENTRALIZED OFFICE

CDSS has not heard anymore from the BIA about this. Kevin Sanders has been temporarily relocated to Washington DC for 3-4 months. At the BIA consultations with tribes held in December 2007, it was stated that centralizing the notice location to Albuquerque, New Mexico was absolutely going to happen despite opposition from tribes. It was stated that there will probably first be a "demonstration project" in the spring 2008 to see how this concept works out.

CALIFORNIA COURT APPOINTED SPECIAL ADVOCATES (CALIFORNIA CASA)

Robin Allen and Christine Williams from the California CASA Program and Glenda Ahhaitty from the National CASA Program presented information regarding the development of the Tribal-County CASA Collaboration Project. Currently, there are three tribal CASA programs in California that they are working with: Karuk, Yurok and Hoopa tribes. The goal is to increase collaboration between the tribal projects and their county programs. CASA workers in the counties are going to be trained regarding ICWA. They are looking for feedback as to whether or not the cultural piece of that curriculum is useful and respectful. Glenda Ahhaitty from National CASA will be traveling to tribal reservations to see how CASA is working or not working for tribal children, and what areas are in the most need of tribal CASA. Currently, there are 15 tribal CASA programs nationwide. There is a National CASA Conference coming up June 7-10, 2008 in Washington, DC (<http://www.casanet.org/conference/index.htm>). Glenda Ahhaitty used to work for the Department of Mental Health and mentioned that people do not have to be mental health providers to receive Mental Health Services Act prevention and early intervention monies. It was suggested that tribal organizations compete for this funding for prevention programs. Questions and comments regarding CASA can be addressed to: Glenda Ahhaitty, Tribal Specialist, National CASA, glenda@nationalcasa.org; Robin Allen, Executive Director, California CASA, rallen@californiacasa.org; and/or Christine Williams, christine@williamsjd.com.

STATE ANNUAL ICWA CONFERENCE

The date for the conference is set for June 9-11, 2008 in Visalia, California. First day speakers will include Terry Cross (Executive Director for NICWA) and the Honorable Abby Abinanti (San Francisco Superior Court Commissioner). Group processes in the afternoon of the first day; judicial officers and court personnel will be present. Second day will be about cultural competency. The Casey Family Foundation will be present, and Soboba will do a presentation on the history of customary adoption. Best practices will also be presented. Some counties expressed concerned that funding for attendance and travel may be difficult to obtain with such late notice. It was said that registration flyers should go out in the next couple of weeks.

AOC UPDATES

The Center for Families, Children and the Courts (CFCC), a division of the Judicial Council's Administrative Office of the Courts (AOC), have developed "job aids" for state courts and agencies that are available on their website. AOC would like feedback on them. They have also recently completed draft findings and orders that they would like feedback on. These documents can be accessed by visiting: <http://www.courtinfo.ca.gov/programs/cfcc/programs/description/jrta-ICWA-JobAids.htm>. The Bench Handbook for ICWA has just been updated. AOC would also like feedback on that document. The handbook may be accessed by visiting the following web site: <http://www.courtinfo.ca.gov/programs/cfcc/programs/description/jrta-ICWAResources.htm> and selecting the appropriate link. AOC's Education Division does live broadcasts. They are helping to organize and develop the content for an ICWA broadcast for court clerks and court personnel

regarding ICWA. Justice Thorne's video is also available on their website (see above web link). The next broadcasts involve ICWA 101 and are set for April 21st, 3:30pm-4:30pm and April 22nd, 9:00am-10:00am. The schedule is available at: <http://www2.courtinfo.ca.gov/cjer/aocv/schedule.htm>. The AOC has been and will continue providing trainings for probation officers.

****Copies of the All County Letter (ACL) regarding SB 678 were distributed for new attendees.****

ICWA WORKGROUP CHARTER AND BYLAWS

CDSS discussed the need to develop a charter and bylaws for the ICWA Workgroup. CDSS reported they would seek assistance through the National Resource Center for Organizational Improvement and would be seeking approval from Region IX, ACF. CDSS advised that they get a lot of questions from tribes about who is speaking for them; who is their representative? Representatives need to be the voice of their tribe. However, it was pointed out that there are people coming to the ICWA Workgroup meetings who do not represent tribes directly, and decisions are sometimes made based upon information collected from attendees that is not necessarily representative of what tribal organizations want. CDSS Deputy Director Kevin Gaines expressed that the ICWA Workgroup is too important to operate on an ad hoc basis any longer.

NEXT MEETING: MAY 16, 2008 AT CDSS IN SACRAMENTO.

MEETING ADJOURNED